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NOV 12 2015

N.J. BOARD OF NURSING

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
LUCINDA SHAW, RN	:	ORDER VACATING
License # 26NR08281800	:	PROVISIONAL
	:	AND FINAL
	:	ORDERS OF
	:	DISCIPLINE
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt in July 2013 of a Medical Malpractice Payment Report indicating that a \$556,024 payment had been made as a result of a judgment against Lucinda Shaw, RN ("Respondent"), who is also a Certified Nurse Midwife under the New Jersey Board of Medical Examiners.

In September 2009, Respondent notified the Division of Consumer Affairs that she wished to place her nursing license in

inactive status as she had moved from New Jersey to Florida. She provided her new address on Langworthy Drive in Brooksville, Florida. The status of Respondent's nursing license was changed to "inactive" according to this request, but, due to an administrative error, the address change was not entered into the Board's records.

After receiving the Malpractice Payment Report in July 2013, the Board began an investigation by sending a letter of inquiry requesting certain information and documents regarding the malpractice case to Respondent's address of record on file with the Board. The address on file with the Board was still listed as Respondent's old address in Pittsgrove, New Jersey and the Board was unaware of Respondent's change of address to Florida. The letter was sent via regular and certified mail on or about September 18, 2013. The mailings were returned with a United States Postal Service notation "Not Deliverable As Addressed, Unable to Forward." The Board checked its computer system and noted that the Pittsgrove address was the only address the Board had in its records regarding Respondent.

The Board received no reply to its letter of inquiry and a Provisional Order of Discipline was entered on February 28, 2014 based upon Respondent's failure to cooperate with a Board investigation, which Provisional Order was mailed via regular

and certified mail to Respondent's address in Pittsgrove, New Jersey. The mailings were returned with a notation "Not Deliverable As Addressed, Unable to Forward."

The Board received no reply to the Provisional Order and a Final Order of Discipline was filed on May 5, 2014 by default, which Final Order was mailed via regular and certified to Respondent's address in Pittsgrove, New Jersey. The mailings were returned with a notation "Not Deliverable As Addressed, Unable to Forward." The Final Order imposed a five hundred dollar civil penalty and suspended Respondent's New Jersey license to practice until she cooperated with the Board's investigation by providing a reply to the letter of inquiry. The status of Respondent's license was changed from "inactive" to "suspended."

Respondent learned about the suspension of her New Jersey nursing license when the Florida Department of Health began an investigation about the action that New Jersey had taken against her. Respondent then contacted the New Jersey Board of Nursing and provided all the information requested. Upon review of the information, the Board determined that there was no cause of action against her New Jersey nursing license.

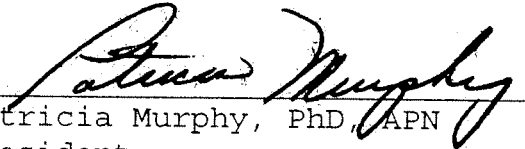
The Board subsequently obtained a copy of Respondent's letter to the Division of Consumer Affairs from September 2009

whereby she provided notification of her change of address. As the letter of inquiry, Provisional Order of Discipline, and Final Order of Discipline were all mailed to the incorrect address, due to an administrative error, and as Respondent was disciplined for a failure to cooperate with a Board investigation by failing to respond, the Board finds that good cause exists for the entry of the within Order.

ACCORDINGLY, it is on this 12th day of November, 2015
ORDERED that:

1. The Final Order of Discipline filed on May 5, 2014 and the Provisional Order of Discipline filed on February 28, 2014 are hereby vacated in their entirety.
2. The status of Respondent's New Jersey nursing license is returned to "inactive."

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Murphy, PhD, APN
President